TO: Heads of Federal agencies

SUBJECT:  NARA Guidance for Implementing Section 207(e) of the E-Government Act of 2002

EXPIRATION DATE: October 1, 2009

## 1.  What is the purpose of this bulletin?

This bulletin provides Federal agencies with the National Archives and Records Administration's (NARA) approach to improve the management of electronic records, including web records, as directed by Section 207(e) of the E-Government Act of 2002, [44 U.S.C. 3601]. All electronic records created and received by agencies are subject to the same existing statutory and regulatory records management requirements as records in other formats and on other media.

## 2.  What is the background for this bulletin?

   a.  Section 207(e) directs the Archivist of the United States to issue policies:

       (A) requiring the adoption by agencies of policies and procedures to ensure that chapters 21, 25, 27, 29, and 31 of title 44, United States Code, are applied effectively and comprehensively to Government information on the Internet and to other electronic records; and

       (B) imposing timetables for the implementation of the policies, procedures, and technologies by agencies.

   b.  Federal agencies are already required by 44 U.S.C. ch. 31 and 35, Office of Management and Budget (OMB) Circular A-130, and NARA regulations in 36 CFR ch. XII, subchapter B to have effective and comprehensive records management programs for all of their records. Policies issued by NARA under these authorities apply to all electronic records, including web records.

## 3  What definitions are used in this bulletin?

*Electronic information system* means a system that contains and provides access to computerized Federal records and other information (36 CFR 1234.2).  The term is not limited to systems that consist solely of or are integrated with DoD5015.2-STD-certified software.

*General Records Schedules* are disposal authorizations issued by the Archivist of the United States for temporary records common to several or all agencies across the Federal Government.

*Mixed-life-cycle stage,* as defined in OMB Circular A-11, par. 300.4, means an information system (investment) that has both development/modernization/enhancement (DME) and steady state aspects.

*Permanent records* means any Federal record that has been determined by NARA to have sufficient value to warrant its preservation in the National Archives of the United States. Permanent records include all records accessioned by NARA into the National Archives of the United States and later increments of the same records, and those for which the disposition is permanent on SF 115s, Request for Records Disposition Authority, approved by NARA on or after May 14, 1973.  (36 CFR 1220.14)

*Schedule* means

    (a) An SF 115, Request for Records Disposition Authority, that has been approved by NARA to authorize the disposition of Federal records;

    (b) A General Records Schedule (GRS) issued by NARA; or

    (c) A printed agency manual or directive containing the records descriptions and disposition instructions approved by NARA on one or more SF 115s or issued by NARA in the GRS.  (36 CFR 1220.14)

*Scheduling* means the process by which an agency obtains NARA approval for the disposition of agency records when agency business need for the records ceases, i.e., destruction of temporary records and transfer to the National Archives of the United States of permanent records.  36 CFR 1228, Subpart B prescribes regulations for scheduling records.

*Steady-state (operational) information system* as defined in OMB Circular A-11, par. 300.4, means an asset or part of an asset that has been delivered and is performing the mission.

*Temporary record* means any record which has been determined by the Archivist of the United States to have insufficient value (on the basis of current standards) to warrant its preservation by the National Archives and Records Administration. This determination may take the form of:

    (a) A series of records designated as disposable in an agency records disposition schedule approved by NARA (Standard Form 115, Request for Records Disposition Authority); or

    (b) A series of records designated as disposable in a General Records Schedule. (36 CFR 1220.14)

## 4.  What policies is NARA issuing?

a.  NARA issues regulations governing the management of all records, including electronic records in 36 CFR Ch. XII, Subchapter B.  NARA also issues policy guidance that supplements these regulations.  The regulations and guidance are posted on NARA's web site at http://www.archives.gov/records-mgmt/ or are available from the NARA staff identified in par. 6 of this bulletin.

b.  This bulletin outlines the major pieces of existing NARA policy guidance related to electronic records management and the areas in which future policy will be made.  The bulletin also establishes timelines by which Federal agencies and NARA must take action regarding records management of both temporary and permanent electronic records.

## 5.  What must agencies do to implement this bulletin?

a.  Ongoing responsibilities.  Agencies must continue to manage their records, including electronic records, consistent with 44 U.S.C. ch. 31, 44 U.S.C. 3506, 36 CFR Ch. XII, Subchapter B, Records Management, and OMB Circular A-130, par. 8a1(j) and (k) and 8a4.  In addition, this bulletin highlights agency responsibilities under these regulations, to identify and schedule ALL their electronic records, and to transfer to NARA electronic records that have a permanent retention.  For agencies that are not already compliant with these policies, NARA is also formally establishing Government-wide deadlines for such compliance, as required by section 207(e)(2)(B) of the E-Government Act of 2002. The chart in Attachment 1 of this NARA bulletin summarizes those deadlines.  Major areas of existing NARA guidance and plans for future guidance are described in Attachment 2 of this bulletin.  Agencies are reminded of the potential applicability of the General Records Schedules as an authority to dispose of administrative electronic records systems.
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b.  Existing electronic records. By September 30, 2009, agencies must have NARA-approved records schedules for all records in existing electronic information systems.  For this bulletin, "existing electronic information systems" are those that are in steady-state operation or mixed life-cycle stage as of December 17, 2005, and electronic records in legacy systems that were not scheduled before decommissioning of the system.  OMB Circular A-11 defines both steady state (operational) and mixed life-cycle stage.

(1)  This requirement includes any system containing electronic information that meets the definition of a Federal record (see 36 CFR §1222.12 for detailed definitions). Agencies may continue to submit schedules covering *series* of electronic records, or may submit schedules covering specific systems.  Agencies may also consider the approach in NARA Bulletin 2005-05, Guidance for flexible scheduling (http://www.archives.gov/records-mgmt/bulletins/2005/2005-05.html).

(2)  Because there may be a backlog of unscheduled systems existing within an agency, NARA suggests agencies consider using the resource allocation framework (http://www.archives.gov/records-mgmt/initiatives/resource-allocation.html) to prioritize the

application of agency scheduling resources, focusing first on electronic records systems the agency believes contain records warranting permanent preservation.

    c.  <u>New electronic records systems</u>.

    (1)  Agencies are reminded that OMB Circular A-130, par. 8a(1)(k) requires agencies to incorporate records management and archival functions into the design, development, and implementation of information systems.  Agencies are also reminded that 36 CFR 1234.10 requires them to establish procedures for addressing records management requirements, including recordkeeping requirements and disposition, before approving new electronic information systems or enhancements to existing systems.

    (2)  For electronic information systems that are currently in a system life cycle stage earlier than steady-state or are developed after issuance of this bulletin, agencies will work with NARA to schedule these systems in accordance with the "front-end scheduling" tactic included in NARA's Strategic Directions for Federal Records Management (http://www.archives.gov/records-mgmt/initiatives/strategic-directions.html#tactics).  NARA will be issuing additional guidance to assist agencies with this requirement.

## 6.  Whom do I contact for additional information?

    a.  NARA's Life Cycle Management Division provides assistance and advice to agency records officers of agencies headquartered in the Washington, DC, area and the Records Management staff in NARA's regional offices provides assistance and advice to agency records officers of agencies headquartered in the field..  Your agency's records officer may contact the NARA appraiser or records analyst with whom your agency normally works for support in carrying out this bulletin.  A list of the appraisal and scheduling work group and regional contacts is posted on the NARA web site at http://www.archives.gov/records-mgmt/appraisal/index.html.

    b.  The Records Management staff in NARA's regional offices provides assistance to agency records officers across the country. A complete list of NARA regional facilities may be found at http://www.archives.gov/locations/index.html.

    c.  If you need more general information about the contents of this bulletin, please contact Laurence Brewer, director of the Life Cycle Management Division at Laurence.Brewer@nara.gov or on 301-837-1539.

**ALLEN WEINSTEIN**
Archivist of the United States

Attachments

**Attachment 1:**
**Timeframes for implementing NARA Bulletin 2006-02**

| Date Required | Responsible Party (Federal agencies or NARA) | Required Actions |
|---|---|---|
| Ongoing | Federal Agencies | Federal agencies are already required to:<br>• implement processes and procedures to manage electronic records in existing agency systems;<br>• identify and schedule electronic records in electronic information systems.<br>• transfer to NARA permanent electronic records from existing or legacy systems according to approved records schedules; and<br>• implement timely destruction of temporary records according to approved records schedules.<br><br>By September 30, 2009, agencies must document that they are meeting these responsibilities through compliance with par. 5b of this bulletin. |
| Ongoing | Federal Agencies | Federal agencies must build records management capabilities into all newly developed systems that generate Federal records, specifically including functionalities to identify and transfer to NARA records of permanent or potentially permanent value.  Specification for such exist in DoD 5015.2-STD as well as in functional description for records management service components. |
| By FY 2008 (October 1, 2007) | NARA | NARA will:<br>• promulgate additional guidance and best practices to assist Federal agencies to identify, schedule, and transfer to NARA permanent or potentially permanent electronic records from existing or legacy systems. |
| By FY 2009 (October 1, 2008) | NARA | NARA will:<br>• articulate  specifications for agencies to use to ensure the solutions integrators and IT service providers sell to Federal agencies meet statutory and regulatory Federal records management requirements; and |

**Attachment 2:**
**Policy for Effective and Comprehensive Management of Electronic Records**

**Introduction**

The Federal Records Act directs the Archivist of the United States to provide guidance and assistance to Federal agencies to ensure adequate and proper documentation of the policies and transactions of the Federal Government.

The E-Government Act of 2002 (Public Law 107-347) further directs the Archivist to issue policies to ensure that the Federal Records Act is applied effectively and comprehensively to Government information on the Internet and to other electronic records.

**Existing Policy**

To fulfill its statutory responsibilities, NARA regularly promulgates records management policy to ensure adequate and proper documentation of the policies and transactions of the Federal Government.  Current records management policy is available at
http://www.archives.gov/records-mgmt/

The following are links to significant records management policy and practical guidance for electronic records, including web records.

Web Records:

NARA Guidance for Managing Web Records (January 2005)
http://www.archives.gov/records-mgmt/policy/managing-web-records-index.html

Other Electronic Records

- Enterprise-Wide ERM
    - Methodology for Determining Agency-unique Requirements (August 23, 2004)
      http://www.archives.gov/records-mgmt/policy/requirements-guidance.html

    - Coordinating the Evaluation of Capital Planning and Investment Control (CPIC) Proposals for ERM Applications (June 23, 2003) http://www.archives.gov/records-mgmt/policy/cpic-guidance.html

    - Recommended Practice: Evaluating Commercial Off-the-Shelf (COTS) Electronic Records Management (ERM) Applications (November 30, 2005)
      http://www.archives.gov/records-mgmt/policy/cots-eval-guidance.html

    - Guidance for Building an Effective Enterprise-wide Electronic Records Management (ERM) Governance Structure (available December 30, 2005 at
      http://www.archives.gov/records-mgmt/policy/governance-guidance.html)

- Electronic Information Management Standards
  - o NARA Bulletin 2003-03, Endorsement of DoD Electronic Records Management Application (RMA) Design Criteria Standard, version 2 (January 15, 2003) http://www.archives.gov/records-mgmt/bulletins/2003/2003-03.html

- Transfer permanent electronic records to NARA
  - o Transfer Instructions for Permanent Electronic Records: Web Content Records (September 17, 2004) http://www.archives.gov/records-mgmt/initiatives/web-content-records.html

  - o Transfer Instructions for Permanent Electronic Records: Digital Geospatial Data Records (April 9, 2004) http://www.archives.gov/records-mgmt/initiatives/digital-geospatial-data-records.html

  - o Transfer Instructions for Permanent Electronic Records: Digital Photographic Records (November 12, 2003) http://www.archives.gov/records-mgmt/initiatives/digital-photo-records.html

  - o Transfer Instructions for Permanent Electronic Records in Portable Document Format (PDF) (March 31, 2003) http://www.archives.gov/records-mgmt/initiatives/pdf-records.html

  - o Transfer Instructions for Existing Scanned Images of Textual Records (December 23, 2002) http://www.archives.gov/records-mgmt/initiatives/scanned-textual.html

  - o Transfer Instructions for Existing E-mail Messages with Attachments (September 30, 2002) http://www.archives.gov/records-mgmt/initiatives/email-attachments.html

- NARA Guidance on Electronic Signatures
  - o Records Management Guidance for Agencies Implementing Electronic Signature Technologies http://www.archives.gov/records-mgmt/policy/electronic-signature-technology.html

  - o Records Management Guidance For PKI-Unique Administrative Records http://www.archives.gov/records-mgmt/policy/pki-guidance.html

  - o Records Management Guidance for PKI Digital Signature Authenticated and Secured Transaction Records http://www.archives.gov/records-mgmt/policy/pki.html

**Future Tools, Policy, and Requirements**

**Toolkit for Managing Electronic Records (ERM Toolkit)**.  The ERM Toolkit will be developed as an organized portal where a collection of proven ERM guidance tools such as case studies, best practice documents, process models, policies and directives, tips and techniques, training programs, lessons learned, presentations, and other practical tools that can be used by Federal agencies to promote and implement effective management of Government information on the Internet and other electronic records.

An initial proof-of-concept will be deployed in March 2006, with subsequent tools and capabilities added thereafter.  NARA-developed guidance outlined below will be available in the ERM Toolkit.

**Records Management Profile and Records Management Service Components**.  With a wide variety of stakeholders, NARA will develop policy and conceptual products to support Federal agencies in building records management requirements into IT systems creating electronic records.  These include:

- Records Management Profile.   The Records Management Profile is a framework that overlays, or cross-cuts, the inter-related Federal Enterprise Architecture (FEA) reference models: the Business Reference Model, the Service Component Reference Model, the Technical Reference Model, the Data Reference Model, and the Performance Reference Model.  The Records Management Profile explains how the reference models provide a context for embedding effective records management practices into agency business processes.

   Developed in concert with the Office of Management Budget (OMB) and other stakeholders, this guidance will be available in FY 2006.

- Records Management Service Components (RMSC).  In FY 2005, NARA led an effort with records management, counsel, IT, and program management leaders from eighteen Federal agencies that identified functional requirements for records management within a components-based architecture.  An RMSC is a piece of software that provides services that support the creation, management, transfer, and destruction of electronic records within a components-based or service-oriented computing environment.

   In FY 2006, NARA will invite back representatives from the eighteen participating agencies to review industry responses to a Request for Information (RFI) about the seven components currently identified to support records management in a components-based architecture and to finalize the requirements.  The results of this activity will eventually be registered in the CORE repository and may be used by integrators assisting agencies deploying component-based or service-oriented architectures.

**Increasing Awareness of Records Management Considerations in the Professional Services and IT Services Community**.  Although OMB and NARA have issued policies and guidance on statutory records management requirements, in further clarification of 36 CFR §1222.48, NARA will broaden and increase records management considerations in professional services and IT system procurements by:

- Providing professional services providers (GSA Schedule Mission Oriented Business Integration Services (MOBIS) providers) criteria and standards to ensure statutory and regulatory Federal records management requirements are accounted for in the business solutions they provide to Federal agencies that affect or result in the creation of Federal electronic records.  This work will be completed by October 1, 2008.

- Providing IT service providers (GSA Schedule 70 providers) criteria and standards to ensure statutory and regulatory Federal records management requirements are accounted for in IT systems creating electronic records in the transaction of Federal Government business.  This work will be completed by October 1, 2008.

**Identification, Preservation, and Continued Access to Permanently Valuable Electronic Records**.  To ensure the identification, preservation, and continued access to Government information on the Internet and to other electronic records, NARA will develop policy for managing[1] permanent or potentially permanent electronic records generated in Federal agencies. In addition to developing the tools outlined above and continuing general work on NARA regulations and guidance, NARA will develop:

- Concise, public-use versions of criteria in NARA 1441, Appraisal Policy of the National Archives and Records Administration.

- Concise articulations of NARA's permanent records priorities based on our government wide resource allocation results, identifying the Federal Enterprise Architecture, Business Reference Model, Services to Citizens areas (Lines of Business) that NARA is most concerned with.

- Self-analysis checklists for Federal agencies to use to identify and report on:

    (a) the major government information systems resources that they are responsible for that generate permanent or potentially permanent electronic records; and

    (b) the general, high-level technical requirements Federal agencies must meet to manage their permanent or potentially permanent electronic records.

    The agency self-analysis would include the NARA 1441 and the resource allocation criteria, as well as technical evaluation based on the Records Management Profile.

These tools will allow agencies to help Federal agencies and NARA identify and manage the electronic records that need to be preserved for access and use by future generations.  This work will be completed by October 1, 2007.

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[1] By managing, we include identifying, scheduling, and transferring to the National Archives.